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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/221,952 | 12/28/1998 | LISA HOLZHAUSER | PHA-23.403 | 3880 |

7590 03/17/2003

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EXAMINER

ENGLAND, DAVID E

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2143

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/221,952

Applicant(s)

HOLZHAUSER ET AL.

Examiner

David E. England

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2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. Claims 1 – 20 are presented for examination.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “adapted” or any for thereof does not appear anywhere in the specification.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Astarabadi U.S. Patent No. 5822405.

4. Astarabadi teaches an information apparatus for general information and resource management, comprising:

5. a plurality of acquisition resources, the plurality of acquisition resources adapted to acquire information comprising multiple data types, the multiple data types including, at least, directives, (e.g. col. 5, line 20 – col. 6, line 34);

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6. a plurality of distribution resources, coupled to the acquisition resources so as to receive and distribute all or part of the acquired information, (e.g. col. 5, line 65 – col. 6, line 34 & col. 8, lines 17 - 41); and,

7. association resources, coupled to the acquisition and distribution resources, the association resources adapted to provide an association annotation to the distribution resources, whereby the distribution resources distribute responsive to the association annotation, (e.g. col. 5, line 65 – col. 6, line 34);

8. wherein the association annotation is based, at least in part, on an acquired directive, (e.g. col. 5, line 20 – col. 6, line 34).

9. Claims 2 – 20 that were rejected from the last office action are still respectfully maintained.

10. In response to Applicant's argument to the newly stated limitations an information apparatus for general information and resource management. The Examiner would like to draw the attention of the Applicant to the fact that if the limitation is of "general nature" then the Examiner will interpret it as broadly as possible. For example, an old geometry saying, "a square is always a quadrilateral, but a quadrilateral isn't always a square." A quadrilateral is a plane figure with four sides and four angles. This could be interpreted as a square, rectangle, parallelogram, rhombus, lozenge, ect. If the Applicant wants to patent a rectangle, refer to it as a rectangle, otherwise the Examiner will refer to it as a square.

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11. Referring to the limitation of a plurality of acquisition resources, the plurality of acquisition resources adapted to acquire information comprising multiple data types, the multiple data types including, at least, directives. The Examiner would like the Applicant to draw their attention to the columns cited above and specifically column 5, lines 20 to 65.

12. Referring to the limitation of a plurality of distribution resources, coupled to the acquisition resources so as to receive and distribute all or part of the acquired information. The Examiner would like the Applicant to draw their attention to the columns cited above.

13. Referring to the limitation of association resources, coupled to the acquisition and distribution resources, the association resources adapted to provide an association annotation to the distribution resources, whereby the distribution resources distribute responsive to the association annotation. The Examiner would like the Applicant to draw their attention to the columns cited above.

14. Referring to the limitation of wherein the association annotation is based, at least in part, on an acquired directive. The Examiner would like the Applicant to draw their attention to the columns cited above and specifically column 5, lines 20 to 65.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 703-305-5333.


The examiner can normally be reached on Mon-Thur, 7:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are none for regular communications and none for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is none.

David E. England
Examiner
Art Unit 2143

De 
March 6, 2003


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100